

Remarks

Claims 1-20 are pending in the application. Claims 1-8 were rejected and claims 9-20 were withdrawn. By this Amendment, claims 1 and 7 have been amended, claims 9-14 have been cancelled, and new claims 21-26 have been added. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 102

Claims 1, 3, 4, 7 and 8 were rejected under § 102(b) as being anticipated by EP 0232018 issued to Monnier et al. (hereinafter "Monnier '018"). Applicants have amended claim 1 to recite a spindle positioning apparatus having "a first spindle disposed on the fixed plate in a fixed position and having a first axis of rotation; a second spindle disposed on the movable plate and movable with respect to the first spindle, the second spindle having a second axis of rotation; and an actuator mechanism adapted to position the second spindle with respect to the first spindle; wherein the first and second axes of rotation are disposed in a common plane that does not intersect a location where the mounting plate assembly is attached to the robotic manipulator." Monnier '018 does not disclose a spindle positioning apparatus as claimed. Instead, Monnier '018 discloses spindles 40 and 42 having vertical axes 44 and 46, respectively. Axes 44 and 46 are disposed in a common plane with vertical axis 28 of the rotatable joint 30 that permits rotary movement of the slide assembly 32 relative to the movable arm 24 of robot 10 (see Figure 3 and column 2, lines 41-50 and 52-55). Consequently, the rejection of claim 1 is respectfully believed to be overcome. Claims 3, 4, 7 and 8 depend on claim 1. Consequently, these claims are believed to be allowable for the same reasons.

Rejection Under 35 U.S.C. § 103

Claim 3 was rejected under § 103(a) as being unpatentable over Monnier '018 in view of U.S. Patent No. 2,807,972 issued to Mitchell (hereinafter "Mitchell '972"). Claim 3 depends on claim 1. Consequently, this claim is believed to be allowable for the reasons previously discussed.

In addition, a *prima facie* case has not been established for the rejection of claim 3. Claim 3 recites that "the first spindle extends through the fixed plate and the second spindle extends through the movable plate." In the Office Action, the Examiner stated that Monnier '018 did not disclose or suggest this limitation (see Office Action, page 3). Mitchell '972 does not cure the deficiencies of Monnier '018 since it merely discloses that tools 11 and 12 are supported by a common plate portion 14 as stated in the argument on page 3 of the Office Action:

Mitchell teaches the first spindle (11) extends through plate (14)
and the second spindle (12) extends through plate (14) (Fig. 1).

As such, a *prima facie* case has not been established since Monnier '018 and Mitchell '972, either alone or in combination, do not disclose or suggest a movable plate and a fixed plate as claimed. Applicants therefore respectfully request that this rejection be withdrawn.

Claims 2, 5 and 6 were rejected under § 103(a) as being unpatentable over Monnier '018 in view of U.S. Patent No. 5,943,928 issued to Oh (hereinafter "Oh '928"). Claims 2, 5 and 6 depend on claim 1. Consequently, these claims are believed to be allowable for the reasons previously discussed.

Applicants traverse the Examiner's contention that the limitations of claim 2 are well known in the art or based on common knowledge. Applicants are not aware of a mounting plate assembly having fixed and moveable plates that includes a linear slot and the movable plate includes a pin that extends into the linear slot to help guide movement of the movable plate as claimed. Moreover, no such construction is believed to be disclosed in the cited references. Applicants respectfully request that documentary evidence be provided in the next Office action if this rejection is to be maintained in accordance with MPEP 2144.03.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. Please charge any fees or credit any overpayments as a result of the filing of this paper to our Deposit Account No. 02-3978.

Respectfully submitted,

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Date: September 25, 2008

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